

REMARKS

According to the Restriction Requirement, election of one of the following inventions is required under 35 U.S.C. §121:

- I. Claims 1-8, drawn to a polymerization process, and
- II. Claims 9-16, drawn to a polymer composition.

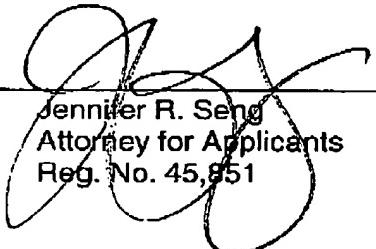
Applicants elect Group I, with traverse. Applicants respectfully traverse the Restriction Requirement. Under 35 U.S.C. § 121 an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and are independent and distinct inventions. See MPEP 803. Applicants respectfully submit that if the search and examination of the entire application can be made *without serious burden*, the Examiner must examine the application on its merits, even though it includes claims to independent and distinct inventions. See MPEP 803.

Claims 1-8 are directed to a process for preparing homopolymers, copolymers and block copolymers of one or more 1-olefins, comprising adding one or more monomer in succession in the presence of transition metal compounds having a fluorenyl ligand, at least one further ligand and at least one donor-acceptor interaction between the ligands or reaction products of these transition metal compounds and a cocatalyst(s), wherein the process is carried out in the temperature range from -40° to +15°C.

Applicants respectfully submit that a single search encompassing Groups I and II is directed to the claimed process and polymer produced therefrom (Group II) could be performed. Also, Applicants submit that any additional search would not entail any "serious burden" on the Examiner, as the process of Group I is an essential element to the polymer according to Group II. Accordingly, Applicants request withdrawal of the Restriction Requirement from Groups I and II.

With regard to the species election, Applicants elect "block copolymers." Applicants further acknowledge that upon allowance of the generic claim, they will be entitled to consideration of claims to the additional species. Claims 2, 3, 5, 6 and 7 are readable thereon.

Respectfully submitted,

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